

CHAPTER 26 SONOMA COUNTY ZONING REGULATIONS

Article 16. AR Agriculture and Residential District.

Sec. 26-16-005. Purpose.

Purpose: to provide lands for raising crops and farm animals in areas designated primarily for rural residential use pursuant to Objective LU-6.5 and Policy LU-6d of the General Plan.

Sec. 26-16-010. Permitted uses.

Permitted uses include the following:

- (a) Single-family detached dwelling units, in accordance with residential density shown in the general plan land use element or permitted by a B combining district, whichever is more restrictive. These unit(s) may be manufactured homes, but only one (1) may be a manufactured home without a permanent foundation.

A manufactured home without a permanent foundation shall require prior approval of a zoning permit notice of which shall be posted at least ten (10) days prior to issuance, during which an appeal may be filed and processed pursuant to Section 26-88-040. Issuance of the zoning permit shall be subject, at a minimum, to the following conditions:

 - (1) The manufactured home shall be at least twelve feet (12') in width except those that are owned and occupied on the effective date of the ordinance codified in this chapter,
 - (2) The manufactured home shall be skirted; all skirting shall be of a type approved by the state of California,
 - (3) The manufactured home shall have one patio awning with a minimum dimension of nine feet (9') by twenty feet (20') and either a garage, carport or awning with a minimum dimension of ten feet (10') by twenty feet (20') for covered parking,
 - (4) The manufactured home sites shall be landscaped, and
 - (5) The manufactured home shall be occupied by the owner of the property or a relative of the owner;
- (b) Home occupations subject to the requirements of Section 26-88-121 and approval of a zoning permit. Any home occupation use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules, regulations and ordinances adopted thereunder;
- (c) Small residential community care facility, except on land subject to a Williamson Act Contract;
- (d) One (1) guest house per lot;
- (e) Temporary farm worker camps consisting of up to four (4) self-contained recreational vehicles and/or travel trailers to house persons solely employed on the site for agricultural

purposes for less than ninety (90) days, subject to the following:

The property owner must submit a written affidavit to the planning department, stating that the recreational vehicle and/or travel trailer will only be used to house persons solely employed on the site of a bona fide agricultural enterprise. The camp shall be subject to applicable septic regulations. The recreational vehicle or trailer shall be immediately removed from the site when it is no longer occupied by persons who are solely employed on the premises site;

- (f) On parcels of two (2) acres or less, the raising, feeding, maintaining and breeding of not more than one (1) of the following per twenty thousand (20,000) square feet of area:
 - (1) Five (5) hogs or pigs,
 - (2) One (1) horse, mule, cow or steer,
 - (3) Five (5) goats, sheep or similar animals,
 - (4) Fifty (50) chickens or similar fowl,
 - (5) Fifty (50) ducks or geese or one hundred (100) rabbits or similar animals,
 - (6) The above limitations may be modified by the Planning Director upon submittal of a proposal statement which describes the extent of the domestic farming use and which is signed by the owners of all property within three hundred feet (300') of the subject property. The Planning Director may require the applicant to obtain a use permit if the Director determines that the project might be detrimental to surrounding uses.
 - (7) 4-H and FFA animal husbandry projects are permitted without limitation of parcel size; provided, that the parcel contains at least twenty thousand (20,000) square feet and provided further, a letter of project authorization is first submitted by the project advisor. The Planning Director may require the applicant to obtain a use permit when the Director determines that the project might be detrimental to surrounding uses;
- (g) On parcels exceeding two (2) acres; raising, feeding, maintaining and breeding of horses, cattle, sheep, goats and similar animals;
- (h) The outdoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain and similar food and fiber crops, including wholesale nurseries. Except as noted below agricultural cultivation shall not be permitted in the following areas:
 - (1) Within one hundred feet (100') of the top of the bank in the Russian River Riparian Corridor,
 - (2) Within fifty feet (50') of the top of the bank in designated flatland riparian corridors,
 - (3) Within twenty-five feet (25') of the top of the bank in designated upland riparian corridors.

Agricultural cultivation may be allowed as set out in subsections (h)(1) through (3) of this section upon approval of a management plan which includes appropriate mitigations for potential erosion, bank stabilization and biotic impacts. This plan may be approved by the

- Planning Director or by use permit pursuant to Section 26-16-020(b);
- (i) The indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain and similar food and fiber crops, provided that the greenhouse or similar structure for indoor growing is less than eight hundred (800) square feet;
 - (j) Incidental cleaning, grading, packing, polishing, sizing or similar preparation of crops which are grown on site, but not including agricultural processing;
 - (k) Temporary or seasonal sales and promotion of agricultural products grown or processed on site (including sampling of non-alcoholic products processed onsite, tours, educational visits, but not tasting rooms that sell or serve alcoholic beverages or consumption of alcoholic beverages by retail consumers or the public) and incidental storage of crops which are grown on site;
 - (l) Temporary or seasonal sales and promotion of livestock which have been raised on site;
 - (m) Accessory buildings and uses appurtenant to the operation of the permitted uses. Accessory buildings may be constructed on vacant parcels of two (2) acres or more in advance of a primary permitted use. On vacant parcels less than two (2) acres, accessory buildings may only be constructed if less than one hundred twenty (120) square feet or as incidental to an existing agricultural use. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
 - (n) Boarding of a maximum of five (5) horses subject to issuance of a zoning permit. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
 - (o) Occasional cultural events, provided that a written notice stating "The Sonoma County Planning Department will issue a zoning permit for a cultural event (state nature and duration) on this property if a written appeal is not received within ten (10) days from the date of this notice" is posted on the property at least ten (10) days prior to issuance of a zoning permit, and no appeal pursuant to Section 26-92-040 has been received from any interested person, and provided that approval is secured from the following departments: sheriff, public health, fire services, building inspection and public works. In the event of an appeal, a hearing on the project shall be held pursuant to Section 26-92-040. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
 - (p) Small family day care. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
 - (q) Large family day care, provided that the applicant shall meet all performance standards listed in Section 26-88-080, except on land subject to a Williamson Act contract;
 - (r) Pet fancier facilities, provided, that a pet fancier license is obtained from the division of animal regulation and renewed annually. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;

- (s) Beekeeping;
- (t) Craft sales and garage sales not exceeding two (2) sales days per calendar year provided that prior notification is given to the California Highway Patrol and that adequate off-street parking is provided;
- (u) Attached commercial telecommunication facilities subject to the applicable criteria set forth in Section 26-88-130;
- (v) Minor freestanding commercial telecommunication facilities, subject to the applicable criteria set forth in Section 26-88-130, and subject to approval of a zoning permit, including environmental review, for which notice, including a site plan and one (1) elevation with dimensions for such facility, is mailed to adjacent property owners and posted on the subject property at least ten (10) days prior to issuance of the permit and provided that no appeal pursuant to Section 26-92-040 has been received from any interested person. In the event of an appeal, a hearing on the project shall be held pursuant to the above section. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
- (w) Noncommercial telecommunication facilities eighty feet (80') or less in height subject to the applicable criteria set forth in Section 26-88-130. Facilities between forty feet (40') and eighty feet (80') in height are subject to approval of a ministerial zoning permit for which notice is mailed to adjacent property owners and posted on the subject property at least ten (10) days prior to issuance of the permit and provided that no appeal pursuant to Section 26-92-040 has been received from any interested person. In the event of an appeal, a hearing on the project shall be held pursuant to the above section;
- (x) One (1) travel trailer per lot for use as temporary housing in accordance with Section 26-88-010(q) and provided that a travel trailer administrative permit is obtained and renewed annually;
- (y) Minor timberland conversions, subject to compliance with the requirements of Section 26-88-140;
- (z) Bed and breakfast inns, containing not more than one (1) guest room, contained within a single-family dwelling, subject to the issuance of a zoning permit. No bed and breakfast inn shall displace nor interfere with any existing agricultural use on the property. No bed and breakfast inn shall be located on land under Williamson Act Contract. Food service shall be limited to breakfast served to inn guests only, and shall be subject to the approval of the Sonoma County department of health services. No weddings, lawn parties or similar activities shall be permitted. No outdoor amplified sound shall be permitted. At least ten (10) days prior to issuance of a zoning permit pursuant to this subsection, a written notice stating "The Sonoma County Permit and Resource Management Department will issue a zoning permit for a one guest room bed and breakfast inn on the property located at [address and APN] if a written appeal is not received within ten (10) days from the date of this notice" shall be posted on the subject parcel and shall be mailed or delivered to all owners of real property as shown on the latest equalized assessment roll within three hundred feet (300') of the subject parcel. If no written appeal is received during the ten (10) day period following the posting and mailing or delivery of notice, a zoning permit shall be issued if the proposed inn satisfies

the requirements of this subsection. In the event of a timely appeal, a hearing on the proposed inn shall be held before the board of zoning adjustments pursuant to Section 26-92-040 and the proposed inn shall be evaluated under the provisions of this subsection and the standards set forth in Section 26-92-080;

- (aa) One (1) second dwelling unit per lot, pursuant to Section 26-88-060, provided that the water supply for the second dwelling unit is proposed to be located within a designated Class 1, 2 or 3 groundwater availability area. Second units may be established within designated Class 4 water-scarce areas only where a hydrogeology report, as defined, certifies that the establishment and continuation of the secondary residential use will not have significant adverse impacts on local or cumulative groundwater availability or yield. Second units are not permitted on land subject to a Williamson Act Contract;
- (bb) Small wind energy systems not located within a county-designated urban service area or within two thousand five hundred feet (2,500') of a county-designated urban service area, subject to zoning permit approval and the standards in Section 26-88-135. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
- (cc) Vacation rentals subject to issuance of a Zoning Permit and conformance with the standards in Section 26-88-120;
- (dd) Non-commercial composting when the source materials are obtained primarily onsite and the product is used to amend soils onsite or on adjacent parcels owned or operated by same property owner.
- (ee) Other nonresidential uses which in the opinion of the Planning Director are of a similar and compatible nature to those uses described in this Section. (Ord. No. 5569 § 7, 2005; Ord. No. 5435 § 2(n), 2003; Ord. No. 5429 § 3(a), 2003; Ord. No. 5361 § 2(g), 2002; Ord. No. 5342 § 4, 2002; Ord. No. 5265 § 1(h), 2001; Ord. No. 5016 § 1(F), 1997; Ord. No. 4985 § 1(b), 1996; Ord. No. 4973 § 5(a), 1996; Ord. No. 4723 § 1(g), 1993; Ord. No. 4653 § 1(h), 1993; Ord. No. 4643, 1993.)

Sec. 26-16-020. Uses permitted with a use permit.

Uses permitted with a use permit include the following:

- (a) The raising, feeding, maintaining and breeding of poultry, fowl, rabbits, fur-bearing animals or animals such as veal calves, pigs, hogs and the like, which are continuously confined in and around barns, corrals and similar areas for other than domestic purposes. Incidental processing of such animals which are raised on site. This subsection shall not be interpreted so as to require a use permit for animals allowed by Sections 26-16-010(f) or (g);
- (b) Agricultural cultivation in the following areas, for which a management plan has not been approved by the Planning Director pursuant to Section 26-16-010(h):
 - (1) Within one hundred feet (100') of the top of the bank in the Russian River Riparian Corridor,

- (2) Within fifty feet (50') of the top of the bank in designated flatland riparian corridors,
- (3) Within twenty-five feet (25') of the top of the bank in designated upland riparian corridors;
- (c) Retail nurseries involving crops/plants which are not grown on the site, except that such facilities are not allowed on land subject to a Williamson Act Contract;
- (d) Indoor growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain and similar food and fiber crops in greenhouses or similar structures of eight hundred (800) square feet or more;
- (e) Commercial kennels, veterinary clinics for farm animals but not for companion and exotic animals. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations; (Ord. No. 3403)
- (f) Commercial stables not permitted under Section 26-16-010(n), riding academies, equestrian riding and driving clubs. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
- (g) Game preserves, refuges and hunting clubs. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
- (h) Commercial mushroom farming;
- (i) Noncommercial clubs and lodges, golf courses and driving ranges, but not including miniature golf courses, except that such facilities are not allowed on land subject to a Williamson Act Contract;
- (j) Live/work uses in conjunction with a legally established single family residential unit subject to the requirements of Section 26-88-122. Any live/work use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
- (k) Public schools; private nursery, primary and secondary schools; places of religious worship; and places of public or community assembly, all subject, at a minimum, to the criteria of General Plan Policy LU-6e except that such uses are not permitted on land subject to a Williamson Act Contract;
- (l) Cemeteries, mausoleums, columbariums and crematoriums, except on land subject to a Williamson Act Contract;
- (m) Minor public service uses or facilities (transmission and distribution lines and telecommunication facilities excepted), including, but not limited to reservoirs, storage tanks, pumping stations, and transformer stations. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et

seq. (the Williamson Act) and local rules and regulations;

- (n) Fire and police stations and training centers, service yards and parking lots which, at a minimum, meet the criteria of General Plan Policy PF-2 t and which are not otherwise exempt by state law. Such facilities are not permitted on land subject to a Williamson Act Contract;
- (o) Large residential community care facility, except on land subject to a Williamson Act Contract;
- (p) Exploration and development of low temperature geothermal resources for other than power development purposes provided that at a minimum it is compatible with surrounding land uses. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
- (q) Bed and breakfast inns, containing not more than five (5) guest rooms, subject to Article 82 (Design Review) and Article 86 (Parking Regulations). No bed and breakfast inn shall displace nor interfere with any existing agricultural use on the property. No bed and breakfast inn shall be located on land under Williamson Act Contract. Food service shall be limited to breakfast served to inn guests only, and shall be subject to the approval of the Sonoma County department of health services. Weddings, lawn parties or similar activities may be allowed if specifically authorized by the use permit. No outdoor amplified sound shall be permitted at any time. No bed and breakfast inn shall include the use of more than one (1) single-family dwelling and one (1) accessory structure for transient occupancy. No more than two (2) of the five (5) guest rooms allowed by this section may be located in the accessory structure, if any. If an accessory structure is used for transient occupancy, the total floor area available for use by guests, including guestrooms and common areas, shall not exceed six hundred forty (640) square feet. There shall be no internal doorway or passage between the area available for use by guests and any remaining area of the accessory structure; (Ord. No. 5265 1(i), 2001; Ord. No. 3376; Ord. No. 3662.)
- (r) Day care center, except on land subject to a Williamson Act Contract;
- (s) Craft sales and garage sales involving three (3) or four (4) sales days per year;
- (t) Intermediate and major freestanding commercial telecommunication facilities subject at a minimum to the applicable criteria set forth in Section 26-88-130. Any such use on a parcel under a Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
- (u) Noncommercial telecommunication facilities greater than eighty feet (80') in height subject at a minimum to the applicable criteria set forth in Section 26-88-130;
- (v) Small wind energy systems located within a county-designated urban service area or within two thousand five hundred feet (2,500') of a county-designated urban service area, subject to the standards in Section 26-88-135. Any such use on a parcel under a

Williamson Act Contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;

- (w) Processing of agricultural products grown or produced on site, and bottling, canning, or storage of agricultural products grown and processed on site, consistent with the criteria of General Plan Policies AR-5c and AR-5g, and subject to the following conditions:
 - (1) The combined square footage of all buildings in which the processing or storage occurs shall not exceed 2,500 square feet on parcels of five acres or less in size, and shall not exceed 5,000 square feet on parcels greater than five acres in size;
 - (2) Importation of agricultural products from offsite sources within the county shall not exceed an amount equal to 30 percent of the average onsite agricultural production. This limitation shall not apply during periods of catastrophic crop or animal loss caused by extreme weather, pestilence, or similar conditions.

- (x) Other nonresidential uses which in the opinion of the Planning Director are of a similar and compatible nature to those uses described in this section. (Ord. No. 5569 § 7, 2005; Ord. No. 5435 § 2(o), 2003; Ord. No. 5429 § 3, 2003; Ord. No. 5361 § 2(o), 2002; Ord. No. 5342 § 5, 2002; Ord. No. 4973 § 5(b), (c), 1996; Ord. No. 4781 § 2(B), 1994; Ord. No. 4643, 1993.)

Sec. 26-16-030. Permitted residential density and development criteria.

The use of land and structures within this district is subject to this article, the applicable regulations of this chapter, and the provisions of any district which is combined herewith. Policies and criteria of the general plan and any applicable specific or area plan or local area development guidelines shall supersede the standards herein.

- (a) Residential density shall be between one (1) and twenty (20) acres per dwelling unit as shown in the general plan land use element or as permitted by a B combining district, whichever is more restrictive.
- (b) Minimum lot size shall be 1.5 acres unless public water serves the lot, in which case the minimum shall be one (1) acre. In such cases where lots are clustered, a protective easement shall be applied to the remaining large parcels which indicates that density has been transferred to the clustered area. The minimum size for parcels subject to a Williamson Act Contract shall conform to General Plan Policy AR-8c.
- (c) Maximum Building Height.
 - (1) Thirty-five feet (35'); additional height may be permitted provided that site plan

approval in accordance with Article 82 is first secured.

- (2) Maximum height for telecommunication facilities is subject to the provisions of this article and Section 26-88-130.
- (d) Minimum Lot Width. The minimum average lot width within each lot is eighty feet (80').
- (e) Maximum Lot Coverage.
- (1) On parcels of two acres in size or less: twenty percent (20%);
 - (2) On parcels greater than two acres up to and including five acres in size: 18,000 SF or fifteen percent (15%), whichever is greater;
 - (3) On parcels greater than five acres up to and including 20 acres in size: 30,000 SF or ten percent (10%), whichever is greater; and
 - (4) On parcels greater than 20 acres in size: 85,000 SF or five percent (5%), whichever is greater.

Exceptions may be allowed by the Planning Director for commercial greenhouses, large animal operations, and buildings required for the farm operation to meet water quality or other environmental protection regulations.

- (f) Yard Requirements.
- (1) Front or Street Side Yard. Thirty feet (30') except where combined with any B district and in no case shall the setback be less than fifty-five feet (55') from the centerline of any public road, street or highway, except as may be otherwise indicated on the district maps.
 - (2) Side Yard. Minimum ten feet (10'), except that in the case of a corner lot, the street side yard shall be the same as the front yard.
 - (3) Rear Yard. Twenty feet (20').
 - (4) Watering troughs, feed troughs, accessory buildings used for the housing or maintenance of farm animals, and accessory buildings and runs used for the housing or maintenance of kennel animals shall be located at least fifty feet (50') from the front property line, twenty feet (20') from any side or rear property line, and thirty feet (30') from any dwelling on the adjacent property.
 - (5) No garage or carport opening facing the street shall be located less than twenty feet (20') from any exterior property line, except that where twenty-five percent (25%) or more of the lots on any one (1) block or portion thereof in the same zoning district have been improved with garages or carports, the required front yard may be reduced to a depth equal to the average of the front yards of the

such garages or carports. However, in no case shall the front yards be reduced to less than ten feet (10'). Further, the Permit and Resource Management Department Director may require a use permit if the reduction might result in a traffic hazard.

Notwithstanding the above, if a residence is elevated to meet flood requirements, the space underneath the structure may be utilized for a garage or carport if it will meet building codes, even if the ten foot (10') to twenty foot (20') setback cannot be met, subject to approval of administrative design review.

- (6) Cornices, eaves, canopies, bay windows, fireplaces and/or other cantilevered portions of structures, and similar architectural features may extend two feet (2') into any required yard. The maximum length of the projections shall not occupy more than one third (1/3) of the total length of the wall on which it is located. Uncovered porches, fire escapes or landing places may extend six feet (6') into any required front or rear yard and three feet (3') into any required side yard.
 - (7) Where twenty-five percent (25%) or more of the lots on any one (1) block or portion thereof in the same zoning district have been improved with buildings, the required front yard may be reduced to a depth equal to the average of the front yards of the improved lots, subject to the limitations of Subsection (f)(5) of this section.
 - (8) Accessory buildings may be constructed within the required yards on the rear half of the lot; provided, that such buildings shall not occupy more than thirty percent (30%) of the width of any rear yard. Such accessory buildings shall not be located closer than ten feet (10') to the main buildings on adjacent lots. Notwithstanding the foregoing, swimming pools may occupy more than thirty percent (30%) of the width of any rear yard. A minimum of three feet (3') shall be maintained between the wall of a pool and the rear and side property lines, and from the main building on the same lot. Conventional pool accessory equipment (pump, filters, etc.) shall be exempt from setback restrictions. Additional setbacks may be required under the California Building Code. (Ord. No. 3932.)
- (g) Parking Requirements.
- (1) No less than one (1) covered off-street occupant parking space per dwelling unit. The requirements for parking to be covered may be waived for single-family dwellings subject to the provisions of 26-86-010 (k).
 - (2) Any other use shall provide parking in accordance with the standards in Article 90. (Ord. No. 5711 § 7 (Exh. H), § 8 (Exh. I), 2007; Ord. No. 4973 § 5(d), 1996; Ord. No. 4927 §§ 1, 6, 11, 1996; Ord. No. 4643, 1993.)